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FACSIMILE MESSAGE

Sender: George Wolken, Jr.

December 9, 2004

Pages (including this page): 4 5

Recipient	Address	Facsimile Number	Your Reference
US PTO: Art Unit 1631 ATTN: Examiner Zhou		703-872-9306	09/641,081

Confirmation copy will not follow.

Re:

Application SN 09/641,081: Office Action Dated June 15, 2004

MESSAGE Dear Mr. Zhou:

Pursuant to my voicemail, I attach a Power of Attorney and proposed amended claims that we believe place this case in a condition for allowance. The limitations of claim 4 have been included in claim 1 which, we submit, are not disclosed nor rendered obvious by the prior art.

I will call you at 571-272-0724 when I arrive at my desk tomorrow morning, approximately 7 am (Pacific Standard Time) either to confer about the proposed claims or to arrange a more convenient time for our discussions.

Thank you for your indulgence on such short notice.



George Wolken, Jr., Attorney for Applicants
 Reg. No. 30, 441

If you have any problems regarding this transmission, please contact George Wolken at 408-567-0340

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PTO/SB/01 (09-04)

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POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM

Application Number	09/641,081
Filing Date	August 16, 2000
First Named Inventor	Carsten Rosenow
Title	Methods and Computer Software Products for Transcriptional Annotation
Art Unit	1631
Examiner Name	Shubo Zhou
Attorney Docket Number	3334.2

I hereby appoint:

 Practitioners associated with the Customer Number:

OR

 Practitioner(s) named below:

Name	Registration Number
Wei Zhou	44,419
Philip L. McGarrigle	31,395
Sandra E. Wells	62,349
Thomas E. Malone	40,078
William McCarthy	85,788
Leticia R. Block	50,167
Georgia Wolken	30,441

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

 The address associated with the above-mentioned Customer Number

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State

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Country

Telephone

Fax

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/06)

SIGNATURE of Applicant or Assignee of Record

Signature

Date

12-09-04

Name

Philip L. McGarrigle

Telephone

408-731-6000

Title and Company

Chief Intellectual Property Counsel and Assistant Corporate Secretary

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 Total of forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22213-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450.

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PTO/SB/98 (09-04)

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Carsten RosenowApplication No./Patent No.: 09/641,081 Filed/Issue Date: August 18, 2000

Entitled: Methods and Computer Software Products for Transcriptional Annotation

Affymetrix, Inc. a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Carsten Rosenow and Thomas Gingeras To: Affymetrix, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 011008, Frame 0347, or for which a copy thereof is attached.

2. From: Affymetrix, Inc. To: Perlegen Sciences
The document was recorded in the United States Patent and Trademark Office at Reel 012098, Frame 0744, or for which a copy thereof is attached.

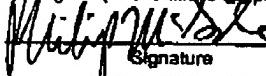
3. From: Perlegen Sciences To: Affymetrix, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 012786, Frame 0960, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08.]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

Philip L. McGarrigle

Printed or Typed Name

Chief Intellectual Property Counsel
and Assistant Corporate Secretary

Title

12-9-04

Date

408-731-5000

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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